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The Revitalization of Collier Books
Spring Audiocassettes • Post-Holiday Business Survey
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Publishers Weekly

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Copyright Office Finds 'Reasonable Balance' in Photocopying Arena

Concluding that "a reasonable balance" exists between competing interests concerned about photocopying, the Copyright Office has recommended in its second five-year report to Congress that the 1976 Copyright Act be left alone in that regard and that attention be turned instead to the impact of new technology on copyright issues.

The balance sought has been so successful, the Copyright Office of the Library of Congress reports, that if the new technology issues are not to be addressed, the requirement that the Copyright Office report periodically should be eliminated or "the time interval between reports should be increased to 10 years or more."

In the first report, issued in 1983, the Copyright Office made several recommendations, but noted in the current report that "no one has acted upon any of these recommendations," primarily because some of the early proponents of alterations have changed their minds in the intervening years.

After noting in the 1983 report that in certain instances "balance has not been achieved in practice," the Copyright Office suggested that the interested parties get together to resolve their differences and that additional studies be conducted on various aspects of the photocopying issue. It also suggested five specific changes in the law.

The current report notes that all of those suggestions have been ignored in the interim—"the general reaction to the publication of the 1983 report was far from earth-shattering," it says—so it issues no new calls for action, other than for the longer reporting period.

The Copyright Office specifically rejected one suggestion first raised in the original report. At that time, publishers and librarians supported addition of an "umbrella statute" to the copyright law to allow libraries to "copy reasonably from the works of publishers that neither participate in the Copyright Clearance Center nor offer their own copy-licensing system."

Publishers since withdrew their support from the agreement, the Copyright Office report notes, and although a pair of witnesses who appeared at two days of hearings held last year for the report suggested the matter be resurrected, the report says, "We cannot recommend it again. The rejection of it by the general library community, and the expanded scope of the Copyright Clearance Center all mitigate against legislative enactment of the 'umbrella statute' by Congress."

Another recommendation from witnesses that would have impinged on the publishing community would have raised the ceiling on statutory damages for illegal photocopying from $500 to more than $100,000. But the report says that "the range of statutory damages is already wide, and adequate."

Drawing on recommendations made by several organizations, the Copyright Office asked in the report that Congress allow it to "study the effects of new technology on the balance" that it says now exists between user and owner interests in photocopying.

Behind the concern of the impact of new technology is the fear in some quarters that the "expansion of document delivery services, networks, and consortia, and in the creation of optical disk projects" in the past five years could upset the desired balance. —H.F.

AAP Sales Report for November

Category	% change, November	% change, YTD
Adult hardcover	43.7	18.2
Adult paperback	26.9	14.6
Juvenile hardcover	-14.3	18.0
Juvenile paperback	47.2	22.0
Univ. Pr. hardcover	-1.3	7.8
Univ. Pr. paperback	16.9	11.7
Bibles, etc.	-6.3	14.7
Mass market paperback	-20.9	9.4
Book club	4.5	11.0
Mail order	-17.8	0.9
Sci-tech	23.4	12.5
College texts	-2.6	7.7
School texts	-18.8	4.9

Out of Line

by Mort Gerberg

"I'm afraid Tom Wolfe and I have differing views of New York."

THE DESSAUER REPORT

BY JOHN P. DESSAUER

Third Quarter 1987 Sales: Better and Better

Thanks largely to continued gains by consumer books, third-quarter sales raised the industry performance level for the year to the best since 1983. Trade Books were particularly strong, with Juveniles continuing their impressive record, while Mass Market Paperbacks added further to their encouraging comeback that began in the second quarter. Book Clubs, though slipping slightly since their rebound in the first quarter, were holding their own, as were Professional books. Only Mail Order Publications proved disappointing, and Textbooks slipped further off the pace. Among distribution channels, General Retailers held a sturdy lead, while direct-to-consumer sales showed improvement.

Readers comparing this report with those of the first two quarters will encounter some adjustments resulting from the current release by BISG of the final 1986 *Book Industry Trends* estimates prepared by the Center for Book Research, which have been incorporated in the tables. □

ESTIMATED PUBLISHERS' NET BOOK SALES—THIRD QUARTER 1987

(Millions of Dollars and Units)

	Jul.–Sep. 1987		Jul.–Sep. 1986		Percent Change		Jan.–Sep. 1987		Jan.–Sep. 1986		Percent Change	
	Dollars	Units	Dollars	Units	Dollars	Units	Dollars	Units	Dollars	Units	Dollars	Units
Trade	1,143.2	235.10	946.8	213.79	20.8	10.0	2,549.7	539.59	2,163.0	497.64	17.9	8.4
Adult Hardbound	639.8	93.93	522.7	82.20	22.4	14.3	1,392.8	208.47	1,198.6	192.55	16.2	8.3
Adult Paperbound	297.5	67.47	256.7	63.16	15.9	6.8	679.1	158.95	576.5	146.78	17.8	8.3
Juvenile Hardbound	137.3	36.57	109.0	31.51	26.0	16.0	327.5	87.60	264.7	76.91	23.7	13.9
Juvenile Paperbound	68.6	37.12	58.5	36.93	17.3	0.5	150.4	84.57	123.2	81.35	22.1	3.9
Religious	177.1	32.24	169.8	33.69	4.3	(4.3)	503.1	94.36	479.4	98.23	5.0	(3.9)
Hardbound	125.8	14.09	120.0	14.77	4.9	(4.6)	357.6	41.33	338.7	43.15	5.6	(4.2)
Paperbound	51.3	18.15	49.8	18.92	2.9	(4.1)	145.5	53.03	140.7	55.08	3.4	(3.7)
Professional	727.6	50.18	630.2	43.89	15.5	14.3	1,934.0	134.27	1,737.5	121.93	11.3	10.1
Hardbound	476.0	16.08	418.9	14.94	13.6	7.6	1,265.8	43.41	1,154.9	41.85	9.6	3.7
Paperbound	251.6	34.10	211.3	28.94	19.1	17.8	668.2	90.86	582.6	80.08	14.7	13.5
Book Club	158.4	26.32	136.3	24.38	16.2	7.9	472.7	79.66	417.6	76.55	13.2	4.1
Hardbound	132.1	10.40	113.2	9.67	16.7	7.6	395.6	31.95	347.0	30.46	14.0	4.9
Paperbound	26.3	15.91	23.0	14.71	14.0	8.2	77.1	47.71	70.6	46.09	9.3	3.5
Mail Order Publications	153.9	27.29	147.2	28.17	4.5	(3.1)	469.4	82.82	452.6	86.14	3.7	(3.8)
Mass Market Paperbacks	332.5	215.90	288.2	190.84	15.4	13.1	806.2	510.99	727.6	460.35	10.8	11.0
University Presses	23.0	1.99	21.7	2.10	6.0	(5.2)	77.1	6.54	71.9	6.48	7.2	0.9
Hardbound	16.8	0.82	15.2	0.80	10.3	2.5	59.0	2.99	55.3	3.03	6.6	(1.3)
Paperbound	6.2	1.18	6.5	1.30	(4.1)	(9.8)	18.1	3.55	16.5	3.46	9.4	2.8
Elhi Text	834.8	119.20	798.7	120.87	4.5	(1.4)	1,415.2	206.14	1,340.9	207.18	5.5	(0.5)
Hardbound	475.3	42.33	452.1	42.94	5.1	(1.4)	808.8	73.17	762.3	73.63	6.1	(0.6)
Paperbound	359.5	76.87	346.6	77.92	3.7	(1.4)	606.4	132.97	578.7	133.55	4.8	(0.4)
College Text	790.5	51.78	754.1	53.29	4.8	(2.8)	1,136.3	79.91	1,083.2	81.40	4.9	(1.8)
Hardbound	669.8	35.16	635.4	36.06	5.4	(2.5)	962.81	54.44	912.6	55.10	5.5	(1.2)
Paperbound	120.7	16.63	118.7	17.23	1.7	(3.5)	173.4	25.47	170.5	26.30	1.7	(3.1)
Subscription Ref.	56.2	0.14	57.2	0.15	(1.7)	(7.1)	152.9	0.39	154.8	0.41	(1.2)	(6.6)
Total	**4,397.3**	**760.13**	**3,950.1**	**711.17**	**11.3**	**6.9**	**9,516.7**	**1,734.66**	**8,628.5**	**1,636.31**	**10.3**	**6.0**

ESTIMATED DOMESTIC CONSUMER EXPENDITURES ON BOOKS—THIRD QUARTER 1987

(Millions of Dollars and Units)

	Jul.–Sep. 1987		Jul.–Sep. 1986		Percent Change		Jan.–Sep. 1987		Jan.–Sep. 1986		Percent Change	
	Dollars	Units	Dollars	Units	Dollars	Units	Dollars	Units	Dollars	Units	Dollars	Units
General Retailers	2,002.2	321.12	[illegible]	284.92	14.9	12.7	4,850.3	778.14	4,247.2	707.36	14.2	10.0
College Stores	1,239.4	114.76	1,190.8	114.61	4.1	0.1	2,537.0	235.30	2,423.1	237.64	4.7	(1.0)
Libraries & Institutions	365.0	25.80	329.1	24.18	10.9	6.7	1,085.9	77.31	989.9	74.13	9.7	4.3
Schools	763.7	116.69	747.9	120.53	2.1	(3.2)	1,497.1	230.75	1,424.5	231.63	5.1	(0.4)
Direct to Consumer	572.7	72.63	506.4	67.12	13.1	8.2	1,555.7	199.41	1,428.6	191.47	8.9	4.1
Other	92.2	38.26	71.4	31.59	29.2	21.1	286.9	120.77	246.5	111.74	16.4	8.1
Total	**5,035.1**	**689.25**	**4,587.8**	**642.95**	**9.7**	**7.2**	**11,813.0**	**1,641.67**	**10,759.8**	**1,553.97**	**9.8**	**5.6**